



**Notice requirements pertaining to
sale, storage or handling of alcoholic
beverages for the purpose of sale.**

Texas Alcoholic Beverage Code (TABC)

Chapter 5.02

(Business License & Permit Regulations)

Section 20.10.060

(Alcoholic Beverages)



Texas Alcoholic Beverage Code (TABC)

Sec. 11.39. APPLICANT TO PUBLISH NOTICE.

- (a) Every applicant for a permit shall give notice of the application by publication at his own expense in two consecutive issues of a newspaper of general circulation published in the city or town in which his place of business is located.
- (b) The notice shall be printed in 10-point boldface type and shall include:
- (1) the type of permit to be applied for;
 - (2) the exact location of the place of business for which the permit is sought;
 - (3) the names of each owner of the business and, if the business is operated under an assumed name, the trade name together with the names of all owners; and
 - (4) if the applicant is a corporation, the names and titles of all officers.
- (c) An applicant for a renewal permit is not required to publish notice.
- (d) This section does not apply to an applicant for a daily temporary mixed beverage permit or a caterer's permit.



Texas Alcoholic Beverage Code (TABC)

Sec. 11.391. NOTICE BY SIGN.

(a) An applicant for a permit issued under this code for a location not previously licensed for the on-premises consumption of alcoholic beverages must, not later than the 60th day before the date the permit is issued, prominently post an outdoor sign at the location stating that alcoholic beverages are intended to be served on the premises, the type of permit, and the name and business address of the applicant.

(b) The sign must be at least 24 by 36 inches in size and must be written in lettering at least two inches in size. The administrator may require the sign to be both in English and a language other than English if it is likely that a substantial number of the residents in the area speak a language other than English as their familiar language. The commission shall provide such sign and may charge a fee therefor.



Texas Alcoholic Beverage Code (TABC)

60-Day Sign

Prior to or during the application process, an applicant for a new license or permit may be required to post a 60-day sign at their location address. If the location has not been previously licensed for on-premise consumption of alcoholic beverages 24 months before the initial application review by the local TABC office, the applicant must prominently post an outdoor sign at the location for 60 days prior to the Agency issuing the license or permit. This sign gives public notice of the intent to seek a license/permit. Failure to display this sign could result in the delay in the issuance of the license/permit.



Section 20.10 060

B. Restrictions.

1. The sale, storage or handling of alcoholic beverages for the purpose of sale is not permitted in any zoning district where the place of business is located within three hundred feet of a church, public or private school, or public hospital; however, this section shall not apply where the applicant has approval from the affected church, public or private school, or public hospital in writing.

2. The sale, storage or handling of alcoholic beverages for the purpose of sale is not permitted in any zoning district where the place of business is located within three hundred feet of a day-care center or a child-care facility as defined in the Texas Human Resources Code § 42.002 and the permit or license holder does not hold a food and beverage certificate issued by the Texas Alcoholic Beverage Commission, unless expressly varied pursuant to the requirements of this section, except that this provision shall not apply:

c. ...if the applicant has approval from the affected day-care center or child-care facility in writing.



Section 20.10 060 (continued)

7. The city council may grant an exception from prohibition of the sale of alcoholic beverages within three hundred feet of a church, school, commercial day care or public hospital after notice and public hearing if the council determines that the enforcement of the prohibition in a particular instance:

- a. Is not in the best interest of the public;
- b. Constitutes waste or the inefficient use of land or other resources;
- c. Creates an undue hardship on an applicant;
- d. Does not serve its intended purpose;
- e. Is not effective or necessary; or
- f. For any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

Posted for public hearing on City Council agenda.